

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 1961 is amended by changing
5 Sections 11-19.2, 12-13, and 12-14.1 as follows:

6 (720 ILCS 5/11-19.2) (from Ch. 38, par. 11-19.2)

7 Sec. 11-19.2. Exploitation of a child.

8 (A) A person commits exploitation of a child when he or she
9 confines a child under the age of 16 or a severely or
10 profoundly mentally retarded person against his or her will by
11 the infliction or threat of imminent infliction of great bodily
12 harm, permanent disability or disfigurement or by
13 administering to the child or severely or profoundly mentally
14 retarded person without his or her consent or by threat or
15 deception and for other than medical purposes, any alcoholic
16 intoxicant or a drug as defined in the Illinois Controlled
17 Substances Act or the Cannabis Control Act or methamphetamine
18 as defined in the Methamphetamine Control and Community
19 Protection Act and:

20 (1) compels the child or severely or profoundly
21 mentally retarded person to become a prostitute; or

22 (2) arranges a situation in which the child or severely
23 or profoundly mentally retarded person may practice

1 prostitution; or

2 (3) receives any money, property, token, object, or
3 article or anything of value from the child or severely or
4 profoundly mentally retarded person knowing it was
5 obtained in whole or in part from the practice of
6 prostitution.

7 (B) For purposes of this Section, administering drugs, as
8 defined in subsection (A), or an alcoholic intoxicant to a
9 child under the age of 13 or a severely or profoundly mentally
10 retarded person shall be deemed to be without consent if such
11 administering is done without the consent of the parents or
12 legal guardian.

13 (C) Exploitation of a child is a Class X felony, for which
14 the person shall be sentenced to a term of imprisonment of not
15 less than 6 years and not more than 60 years.

16 (D) Any person convicted under this Section is subject to
17 the forfeiture provisions of Section 11-20.1A of this Act.

18 (Source: P.A. 94-556, eff. 9-11-05.)

19 (720 ILCS 5/12-13) (from Ch. 38, par. 12-13)

20 Sec. 12-13. Criminal Sexual Assault.

21 (a) The accused commits criminal sexual assault if he or
22 she:

23 (1) commits an act of sexual penetration by the use of
24 force or threat of force; or

25 (2) commits an act of sexual penetration and the

1 accused knew that the victim was unable to understand the
2 nature of the act or was unable to give knowing consent; or

3 (3) commits an act of sexual penetration with a victim
4 who was under 18 years of age when the act was committed
5 and the accused was a family member; or

6 (4) commits an act of sexual penetration with a victim
7 who was at least 13 years of age but under 18 years of age
8 when the act was committed and the accused was 17 years of
9 age or over and held a position of trust, authority or
10 supervision in relation to the victim.

11 (b) Sentence.

12 (1) Criminal sexual assault is a Class 1 felony.

13 (2) A person who is convicted of the offense of
14 criminal sexual assault as defined in paragraph (a)(1) or
15 (a)(2) after having previously been convicted of the
16 offense of criminal sexual assault or the offense of
17 exploitation of a child, or who is convicted of the offense
18 of criminal sexual assault as defined in paragraph (a)(1)
19 or (a)(2) after having previously been convicted under the
20 laws of this State or any other state of an offense that is
21 substantially equivalent to the offense of criminal sexual
22 assault or to the offense of exploitation of a child,
23 commits a Class X felony for which the person shall be
24 sentenced to a term of imprisonment of not less than 30
25 years and not more than 60 years. The commission of the
26 second or subsequent offense is required to have been after

1 the initial conviction for this paragraph (2) to apply.

2 (3) A person who is convicted of the offense of
3 criminal sexual assault as defined in paragraph (a)(1) or
4 (a)(2) after having previously been convicted of the
5 offense of aggravated criminal sexual assault or the
6 offense of predatory criminal sexual assault of a child, or
7 who is convicted of the offense of criminal sexual assault
8 as defined in paragraph (a)(1) or (a)(2) after having
9 previously been convicted under the laws of this State or
10 any other state of an offense that is substantially
11 equivalent to the offense of aggravated criminal sexual
12 assault or the offense of criminal predatory sexual assault
13 shall be sentenced to a term of natural life imprisonment.
14 The commission of the second or subsequent offense is
15 required to have been after the initial conviction for this
16 paragraph (3) to apply.

17 (4) A second or subsequent conviction for a violation
18 of paragraph (a)(3) or (a)(4) or under any similar statute
19 of this State or any other state for any offense involving
20 criminal sexual assault that is substantially equivalent
21 to or more serious than the sexual assault prohibited under
22 paragraph (a)(3) or (a)(4) is a Class X felony.

23 (5) When a person has any such prior conviction, the
24 information or indictment charging that person shall state
25 such prior conviction so as to give notice of the State's
26 intention to treat the charge as a Class X felony. The fact

1 of such prior conviction is not an element of the offense
2 and may not be disclosed to the jury during trial unless
3 otherwise permitted by issues properly raised during such
4 trial.

5 (Source: P.A. 90-396, eff. 1-1-98.)

6 (720 ILCS 5/12-14.1)

7 Sec. 12-14.1. Predatory criminal sexual assault of a child.

8 (a) The accused commits predatory criminal sexual assault
9 of a child if:

10 (1) the accused was 17 years of age or over and commits
11 an act of sexual penetration with a victim who was under 13
12 years of age when the act was committed; or

13 (1.1) the accused was 17 years of age or over and,
14 while armed with a firearm, commits an act of sexual
15 penetration with a victim who was under 13 years of age
16 when the act was committed; or

17 (1.2) the accused was 17 years of age or over and
18 commits an act of sexual penetration with a victim who was
19 under 13 years of age when the act was committed and,
20 during the commission of the offense, the accused
21 personally discharged a firearm; or

22 (2) the accused was 17 years of age or over and commits
23 an act of sexual penetration with a victim who was under 13
24 years of age when the act was committed and the accused
25 caused great bodily harm to the victim that:

1 (A) resulted in permanent disability; or

2 (B) was life threatening; or

3 (3) the accused was 17 years of age or over and commits
4 an act of sexual penetration with a victim who was under 13
5 years of age when the act was committed and the accused
6 delivered (by injection, inhalation, ingestion, transfer
7 of possession, or any other means) to the victim without
8 his or her consent, or by threat or deception, and for
9 other than medical purposes, any controlled substance.

10 (b) Sentence.

11 (1) A person convicted of a violation of subsection
12 (a) (1) commits a Class X felony, for which the person shall
13 be sentenced to a term of imprisonment of not less than 6
14 years and not more than 60 years. A person convicted of a
15 violation of subsection (a) (1.1) commits a Class X felony
16 for which 15 years shall be added to the term of
17 imprisonment imposed by the court. A person convicted of a
18 violation of subsection (a) (1.2) commits a Class X felony
19 for which 20 years shall be added to the term of
20 imprisonment imposed by the court. A person convicted of a
21 violation of subsection (a) (2) commits a Class X felony for
22 which the person shall be sentenced to a term of
23 imprisonment of not less than 50 years or up to a term of
24 natural life imprisonment.

25 (1.1) A person convicted of a violation of subsection
26 (a) (3) commits a Class X felony for which the person shall

1 be sentenced to a term of imprisonment of not less than 50
2 years and not more than 60 years.

3 (1.2) A person convicted of predatory criminal sexual
4 assault of a child committed against 2 or more persons
5 regardless of whether the offenses occurred as the result
6 of the same act or of several related or unrelated acts
7 shall be sentenced to a term of natural life imprisonment.

8 (2) A person who is convicted of a second or subsequent
9 offense of predatory criminal sexual assault of a child, or
10 who is convicted of the offense of predatory criminal
11 sexual assault of a child after having previously been
12 convicted of the offense of criminal sexual assault or the
13 offense of aggravated criminal sexual assault, or who is
14 convicted of the offense of predatory criminal sexual
15 assault of a child after having previously been convicted
16 under the laws of this State or any other state of an
17 offense that is substantially equivalent to the offense of
18 predatory criminal sexual assault of a child, the offense
19 of aggravated criminal sexual assault or the offense of
20 criminal sexual assault, shall be sentenced to a term of
21 natural life imprisonment. The commission of the second or
22 subsequent offense is required to have been after the
23 initial conviction for this paragraph (2) to apply.

24 (Source: P.A. 91-238, eff. 1-1-00; 91-404, eff. 1-1-00; 92-16,
25 eff. 6-28-01.)

1 Section 10. The Unified Code of Corrections is amended by
2 changing Section 3-3-7 as follows:

3 (730 ILCS 5/3-3-7) (from Ch. 38, par. 1003-3-7)

4 Sec. 3-3-7. Conditions of Parole or Mandatory Supervised
5 Release.

6 (a) The conditions of parole or mandatory supervised
7 release shall be such as the Prisoner Review Board deems
8 necessary to assist the subject in leading a law-abiding life.
9 The conditions of every parole and mandatory supervised release
10 are that the subject:

11 (1) not violate any criminal statute of any
12 jurisdiction during the parole or release term;

13 (2) refrain from possessing a firearm or other
14 dangerous weapon;

15 (3) report to an agent of the Department of
16 Corrections;

17 (4) permit the agent to visit him or her at his or her
18 home, employment, or elsewhere to the extent necessary for
19 the agent to discharge his or her duties;

20 (5) attend or reside in a facility established for the
21 instruction or residence of persons on parole or mandatory
22 supervised release;

23 (6) secure permission before visiting or writing a
24 committed person in an Illinois Department of Corrections
25 facility;

1 (7) report all arrests to an agent of the Department of
2 Corrections as soon as permitted by the arresting authority
3 but in no event later than 24 hours after release from
4 custody;

5 (7.5) if convicted of a sex offense as defined in the
6 Sex Offender Management Board Act, the individual shall
7 undergo and successfully complete sex offender treatment
8 conducted in conformance with the standards developed by
9 the Sex Offender Management Board Act by a treatment
10 provider approved by the Board;

11 (7.6) if convicted of a sex offense as defined in the
12 Sex Offender Management Board Act, refrain from residing at
13 the same address or in the same condominium unit or
14 apartment unit or in the same condominium complex or
15 apartment complex with another person he or she knows or
16 reasonably should know is a convicted sex offender or has
17 been placed on supervision for a sex offense; the
18 provisions of this paragraph do not apply to a person
19 convicted of a sex offense who is placed in a Department of
20 Corrections licensed transitional housing facility for sex
21 offenders, or is in any facility operated or licensed by
22 the Department of Children and Family Services or by the
23 Department of Human Services, or is in any licensed medical
24 facility;

25 (7.7) if convicted for an offense that would qualify
26 the accused as a sexual predator under the Sex Offender

1 Registration Act on or after the effective date of this
2 amendatory Act of the 94th General Assembly, wear an
3 approved electronic monitoring device as defined in
4 Section 5-8A-2 for the duration of the person's parole,
5 mandatory supervised release term, or extended mandatory
6 supervised release term, ~~provided funding is appropriated~~
7 ~~by the General Assembly;~~

8 (7.8) if convicted for an offense that would qualify
9 the accused as a sex offender or sexual predator under the
10 Sex Offender Registration Act on or after the effective
11 date of this amendatory Act of the 95th General Assembly,
12 not possess prescription drugs for erectile dysfunction;

13 (8) obtain permission of an agent of the Department of
14 Corrections before leaving the State of Illinois;

15 (9) obtain permission of an agent of the Department of
16 Corrections before changing his or her residence or
17 employment;

18 (10) consent to a search of his or her person,
19 property, or residence under his or her control;

20 (11) refrain from the use or possession of narcotics or
21 other controlled substances in any form, or both, or any
22 paraphernalia related to those substances and submit to a
23 urinalysis test as instructed by a parole agent of the
24 Department of Corrections;

25 (12) not frequent places where controlled substances
26 are illegally sold, used, distributed, or administered;

1 (13) not knowingly associate with other persons on
2 parole or mandatory supervised release without prior
3 written permission of his or her parole agent and not
4 associate with persons who are members of an organized gang
5 as that term is defined in the Illinois Streetgang
6 Terrorism Omnibus Prevention Act;

7 (14) provide true and accurate information, as it
8 relates to his or her adjustment in the community while on
9 parole or mandatory supervised release or to his or her
10 conduct while incarcerated, in response to inquiries by his
11 or her parole agent or of the Department of Corrections;

12 (15) follow any specific instructions provided by the
13 parole agent that are consistent with furthering
14 conditions set and approved by the Prisoner Review Board or
15 by law, exclusive of placement on electronic detention, to
16 achieve the goals and objectives of his or her parole or
17 mandatory supervised release or to protect the public.
18 These instructions by the parole agent may be modified at
19 any time, as the agent deems appropriate; and

20 (16) if convicted of a sex offense as defined in
21 subsection (a-5) of Section 3-1-2 of this Code, unless the
22 offender is a parent or guardian of the person under 18
23 years of age present in the home and no non-familial minors
24 are present, not participate in a holiday event involving
25 children under 18 years of age, such as distributing candy
26 or other items to children on Halloween, wearing a Santa

1 Claus costume on or preceding Christmas, being employed as
2 a department store Santa Claus, or wearing an Easter Bunny
3 costume on or preceding Easter.

4 (b) The Board may in addition to other conditions require
5 that the subject:

6 (1) work or pursue a course of study or vocational
7 training;

8 (2) undergo medical or psychiatric treatment, or
9 treatment for drug addiction or alcoholism;

10 (3) attend or reside in a facility established for the
11 instruction or residence of persons on probation or parole;

12 (4) support his dependents;

13 (5) (blank);

14 (6) (blank);

15 (7) comply with the terms and conditions of an order of
16 protection issued pursuant to the Illinois Domestic
17 Violence Act of 1986, enacted by the 84th General Assembly,
18 or an order of protection issued by the court of another
19 state, tribe, or United States territory; and

20 (8) in addition, if a minor:

21 (i) reside with his parents or in a foster home;

22 (ii) attend school;

23 (iii) attend a non-residential program for youth;

24 or

25 (iv) contribute to his own support at home or in a
26 foster home.

1 (b-1) In addition to the conditions set forth in
2 subsections (a) and (b), persons required to register as sex
3 offenders pursuant to the Sex Offender Registration Act, upon
4 release from the custody of the Illinois Department of
5 Corrections, may be required by the Board to comply with the
6 following specific conditions of release:

7 (1) reside only at a Department approved location;

8 (2) comply with all requirements of the Sex Offender
9 Registration Act;

10 (3) notify third parties of the risks that may be
11 occasioned by his or her criminal record;

12 (4) obtain the approval of an agent of the Department
13 of Corrections prior to accepting employment or pursuing a
14 course of study or vocational training and notify the
15 Department prior to any change in employment, study, or
16 training;

17 (5) not be employed or participate in any volunteer
18 activity that involves contact with children, except under
19 circumstances approved in advance and in writing by an
20 agent of the Department of Corrections;

21 (6) be electronically monitored for a minimum of 12
22 months from the date of release as determined by the Board;

23 (7) refrain from entering into a designated geographic
24 area except upon terms approved in advance by an agent of
25 the Department of Corrections. The terms may include
26 consideration of the purpose of the entry, the time of day,

1 and others accompanying the person;

2 (8) refrain from having any contact, including written
3 or oral communications, directly or indirectly, personally
4 or by telephone, letter, or through a third party with
5 certain specified persons including, but not limited to,
6 the victim or the victim's family without the prior written
7 approval of an agent of the Department of Corrections;

8 (9) refrain from all contact, directly or indirectly,
9 personally, by telephone, letter, or through a third party,
10 with minor children without prior identification and
11 approval of an agent of the Department of Corrections;

12 (10) neither possess or have under his or her control
13 any material that is sexually oriented, sexually
14 stimulating, or that shows male or female sex organs or any
15 pictures depicting children under 18 years of age nude or
16 any written or audio material describing sexual
17 intercourse or that depicts or alludes to sexual activity,
18 including but not limited to visual, auditory, telephonic,
19 or electronic media, or any matter obtained through access
20 to any computer or material linked to computer access use;

21 (11) not patronize any business providing sexually
22 stimulating or sexually oriented entertainment nor utilize
23 "900" or adult telephone numbers;

24 (12) not reside near, visit, or be in or about parks,
25 schools, day care centers, swimming pools, beaches,
26 theaters, or any other places where minor children

1 congregate without advance approval of an agent of the
2 Department of Corrections and immediately report any
3 incidental contact with minor children to the Department;

4 (13) not possess or have under his or her control
5 certain specified items of contraband related to the
6 incidence of sexually offending as determined by an agent
7 of the Department of Corrections;

8 (14) may be required to provide a written daily log of
9 activities if directed by an agent of the Department of
10 Corrections;

11 (15) comply with all other special conditions that the
12 Department may impose that restrict the person from
13 high-risk situations and limit access to potential
14 victims; -

15 (16) take an annual polygraph exam;

16 (17) maintain a log of his or her travel; or

17 (18) obtain prior approval of his or her parole officer
18 before driving alone in a motor vehicle.

19 (c) The conditions under which the parole or mandatory
20 supervised release is to be served shall be communicated to the
21 person in writing prior to his release, and he shall sign the
22 same before release. A signed copy of these conditions,
23 including a copy of an order of protection where one had been
24 issued by the criminal court, shall be retained by the person
25 and another copy forwarded to the officer in charge of his
26 supervision.

1 (d) After a hearing under Section 3-3-9, the Prisoner
2 Review Board may modify or enlarge the conditions of parole or
3 mandatory supervised release.

4 (e) The Department shall inform all offenders committed to
5 the Department of the optional services available to them upon
6 release and shall assist inmates in availing themselves of such
7 optional services upon their release on a voluntary basis.

8 (Source: P.A. 93-616, eff. 1-1-04; 93-865, eff. 1-1-05; 94-159,
9 eff. 7-11-05; 94-161, eff. 7-11-05; 94-988, eff. 1-1-07.)

10 Section 15. The Sex Offender Registration Act is amended by
11 changing Sections 3, 4, 5, 5-5, 6, 6-5, and 7 as follows:

12 (730 ILCS 150/3) (from Ch. 38, par. 223)

13 Sec. 3. Duty to register.

14 (a) A sex offender, as defined in Section 2 of this Act, or
15 sexual predator shall, within the time period prescribed in
16 subsections (b) and (c), register in person and provide
17 accurate information as required by the Department of State
18 Police. Such information shall include a current photograph,
19 current address, current place of employment, the employer's
20 telephone number, school attended, extensions of the time
21 period for registering as provided in this Article and, if an
22 extension was granted, the reason why the extension was granted
23 and the date the sex offender was notified of the extension.
24 The information shall also include the county of conviction,

1 license plate numbers for every vehicle registered in the name
2 of the sex offender, the age of the sex offender at the time of
3 the commission of the offense, the age of the victim at the
4 time of the commission of the offense, and any distinguishing
5 marks located on the body of the sex offender. A person who has
6 been adjudicated a juvenile delinquent for an act which, if
7 committed by an adult, would be a sex offense shall register as
8 an adult sex offender within 10 days after attaining 17 years
9 of age. The sex offender or sexual predator shall register:

10 (1) with the chief of police in the municipality in
11 which he or she resides or is temporarily domiciled for a
12 period of time of 5 or more days, unless the municipality
13 is the City of Chicago, in which case he or she shall
14 register at the Chicago Police Department Headquarters; or

15 (2) with the sheriff in the county in which he or she
16 resides or is temporarily domiciled for a period of time of
17 5 or more days in an unincorporated area or, if
18 incorporated, no police chief exists.

19 If the sex offender or sexual predator is employed at or
20 attends an institution of higher education, he or she shall
21 register:

22 (i) with the chief of police in the municipality in
23 which he or she is employed at or attends an institution of
24 higher education, unless the municipality is the City of
25 Chicago, in which case he or she shall register at the
26 Chicago Police Department Headquarters; or

1 (ii) with the sheriff in the county in which he or she
2 is employed or attends an institution of higher education
3 located in an unincorporated area, or if incorporated, no
4 police chief exists.

5 For purposes of this Article, the place of residence or
6 temporary domicile is defined as any and all places where the
7 sex offender resides for an aggregate period of time of 5 or
8 more days during any calendar year. Any person required to
9 register under this Article who lacks a fixed address or
10 temporary domicile must notify, in person, the agency of
11 jurisdiction of his or her last known address within 48 hours ~~5~~
12 ~~days~~ after ceasing to have a fixed residence.

13 Any person who lacks a fixed residence must report weekly,
14 in person, with the sheriff's office of the county in which he
15 or she is located in an unincorporated area, or with the chief
16 of police in the municipality in which he or she is located.
17 The agency of jurisdiction will document each weekly
18 registration to include all the locations where the person has
19 stayed during the past 7 days.

20 The sex offender or sexual predator shall provide accurate
21 information as required by the Department of State Police. That
22 information shall include the sex offender's or sexual
23 predator's current place of employment.

24 (a-5) An out-of-state student or out-of-state employee
25 shall, within 48 hours ~~5 days~~ after beginning school or
26 employment in this State, register in person and provide

1 accurate information as required by the Department of State
2 Police. Such information will include current place of
3 employment, school attended, and address in state of residence.
4 The out-of-state student or out-of-state employee shall
5 register:

6 (1) with the chief of police in the municipality in
7 which he or she attends school or is employed for a period
8 of time of 5 or more days or for an aggregate period of
9 time of more than 30 days during any calendar year, unless
10 the municipality is the City of Chicago, in which case he
11 or she shall register at the Chicago Police Department
12 Headquarters; or

13 (2) with the sheriff in the county in which he or she
14 attends school or is employed for a period of time of 5 or
15 more days or for an aggregate period of time of more than
16 30 days during any calendar year in an unincorporated area
17 or, if incorporated, no police chief exists.

18 The out-of-state student or out-of-state employee shall
19 provide accurate information as required by the Department of
20 State Police. That information shall include the out-of-state
21 student's current place of school attendance or the
22 out-of-state employee's current place of employment.

23 (b) Any sex offender, as defined in Section 2 of this Act,
24 or sexual predator, regardless of any initial, prior, or other
25 registration, shall, within 48 hours ~~5 days~~ of beginning
26 school, or establishing a residence, place of employment, or

1 temporary domicile in any county, register in person as set
2 forth in subsection (a) or (a-5).

3 (c) The registration for any person required to register
4 under this Article shall be as follows:

5 (1) Any person registered under the Habitual Child Sex
6 Offender Registration Act or the Child Sex Offender
7 Registration Act prior to January 1, 1996, shall be deemed
8 initially registered as of January 1, 1996; however, this
9 shall not be construed to extend the duration of
10 registration set forth in Section 7.

11 (2) Except as provided in subsection (c) (4), any person
12 convicted or adjudicated prior to January 1, 1996, whose
13 liability for registration under Section 7 has not expired,
14 shall register in person prior to January 31, 1996.

15 (2.5) Except as provided in subsection (c) (4), any
16 person who has not been notified of his or her
17 responsibility to register shall be notified by a criminal
18 justice entity of his or her responsibility to register.
19 Upon notification the person must then register within 48
20 hours ~~5 days~~ of notification of his or her requirement to
21 register. If notification is not made within the offender's
22 10 year registration requirement, and the Department of
23 State Police determines no evidence exists or indicates the
24 offender attempted to avoid registration, the offender
25 will no longer be required to register under this Act.

26 (3) Except as provided in subsection (c) (4), any person

1 convicted on or after January 1, 1996, shall register in
2 person within 48 hours ~~5 days~~ after the entry of the
3 sentencing order based upon his or her conviction.

4 (4) Any person unable to comply with the registration
5 requirements of this Article because he or she is confined,
6 institutionalized, or imprisoned in Illinois on or after
7 January 1, 1996, shall register in person within 48 hours ~~5~~
8 ~~days~~ of discharge, parole or release.

9 (5) The person shall provide positive identification
10 and documentation that substantiates proof of residence at
11 the registering address.

12 (6) The person shall pay a \$20 initial registration fee
13 and a \$10 annual renewal fee. The fees shall be used by the
14 registering agency for official purposes. The agency shall
15 establish procedures to document receipt and use of the
16 funds. The law enforcement agency having jurisdiction may
17 waive the registration fee if it determines that the person
18 is indigent and unable to pay the registration fee. Ten
19 dollars for the initial registration fee and \$5 of the
20 annual renewal fee shall be used by the registering agency
21 for official purposes. Ten dollars of the initial
22 registration fee and \$5 of the annual fee shall be
23 deposited into the Sex Offender Management Board Fund under
24 Section 19 of the Sex Offender Management Board Act. Money
25 deposited into the Sex Offender Management Board Fund shall
26 be administered by the Sex Offender Management Board and

1 shall be used to fund practices endorsed or required by the
2 Sex Offender Management Board Act including but not limited
3 to sex offenders evaluation, treatment, or monitoring
4 programs that are or may be developed, as well as for
5 administrative costs, including staff, incurred by the
6 Board.

7 (d) Within 48 hours ~~5 days~~ after obtaining or changing
8 employment and, if employed on January 1, 2000, within 5 days
9 after that date, a person required to register under this
10 Section must report, in person to the law enforcement agency
11 having jurisdiction, the business name and address where he or
12 she is employed. If the person has multiple businesses or work
13 locations, every business and work location must be reported to
14 the law enforcement agency having jurisdiction.

15 (Source: P.A. 93-616, eff. 1-1-04; 93-979, eff. 8-20-04;
16 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 94-994, eff. 1-1-07.)

17 (730 ILCS 150/4) (from Ch. 38, par. 224)

18 Sec. 4. Discharge of sex offender, as defined in Section 2
19 of this Act, or sexual predator from Department of Corrections
20 facility or other penal institution; duties of official in
21 charge. Any sex offender, as defined in Section 2 of this Act,
22 or sexual predator, as defined by this Article, who is
23 discharged, paroled or released from a Department of
24 Corrections facility, a facility where such person was placed
25 by the Department of Corrections or another penal institution,

1 and whose liability for registration has not terminated under
2 Section 7 shall, prior to discharge, parole or release from the
3 facility or institution, be informed of his or her duty to
4 register in person within 48 hours ~~5 days~~ of release by the
5 facility or institution in which he or she was confined. The
6 facility or institution shall also inform any person who must
7 register that if he or she establishes a residence outside of
8 the State of Illinois, is employed outside of the State of
9 Illinois, or attends school outside of the State of Illinois,
10 he or she must register in the new state within 48 hours ~~5 days~~
11 after establishing the residence, beginning employment, or
12 beginning school.

13 The facility shall require the person to read and sign such
14 form as may be required by the Department of State Police
15 stating that the duty to register and the procedure for
16 registration has been explained to him or her and that he or
17 she understands the duty to register and the procedure for
18 registration. The facility shall further advise the person in
19 writing that the failure to register or other violation of this
20 Article shall result in revocation of parole, mandatory
21 supervised release or conditional release. The facility shall
22 obtain information about where the person expects to reside,
23 work, and attend school upon his or her discharge, parole or
24 release and shall report the information to the Department of
25 State Police. The facility shall give one copy of the form to
26 the person and shall send one copy to each of the law

1 enforcement agencies having jurisdiction where the person
2 expects to reside, work, and attend school upon his or her
3 discharge, parole or release and retain one copy for the files.
4 Electronic data files which includes all notification form
5 information and photographs of sex offenders being released
6 from an Illinois Department of Corrections facility will be
7 shared on a regular basis as determined between the Department
8 of State Police and the Department of Corrections.

9 (Source: P.A. 94-168, eff. 1-1-06.)

10 (730 ILCS 150/5) (from Ch. 38, par. 225)

11 Sec. 5. Release of sex offender, as defined in Section 2 of
12 this Act, or sexual predator; duties of the Court. Any sex
13 offender, as defined in Section 2 of this Act, or sexual
14 predator, as defined by this Article, who is released on
15 probation or discharged upon payment of a fine because of the
16 commission of one of the offenses defined in subsection (B) of
17 Section 2 of this Article, shall, prior to such release be
18 informed of his or her duty to register under this Article by
19 the Court in which he or she was convicted. The Court shall
20 also inform any person who must register that if he or she
21 establishes a residence outside of the State of Illinois, is
22 employed outside of the State of Illinois, or attends school
23 outside of the State of Illinois, he or she must register in
24 the new state within 48 hours ~~5 days~~ after establishing the
25 residence, beginning employment, or beginning school. The

1 Court shall require the person to read and sign such form as
2 may be required by the Department of State Police stating that
3 the duty to register and the procedure for registration has
4 been explained to him or her and that he or she understands the
5 duty to register and the procedure for registration. The Court
6 shall further advise the person in writing that the failure to
7 register or other violation of this Article shall result in
8 probation revocation. The Court shall obtain information about
9 where the person expects to reside, work, and attend school
10 upon his or her release, and shall report the information to
11 the Department of State Police. The Court shall give one copy
12 of the form to the person and retain the original in the court
13 records. The Department of State Police shall notify the law
14 enforcement agencies having jurisdiction where the person
15 expects to reside, work and attend school upon his or her
16 release.

17 (Source: P.A. 94-168, eff. 1-1-06.)

18 (730 ILCS 150/5-5)

19 Sec. 5-5. Discharge of sex offender or sexual predator from
20 a hospital or other treatment facility; duties of the official
21 in charge. Any sex offender, as defined in Section 2 of this
22 Act, or sexual predator, as defined in this Article, who is
23 discharged or released from a hospital or other treatment
24 facility where he or she was confined shall be informed by the
25 hospital or treatment facility in which he or she was confined,

1 prior to discharge or release from the hospital or treatment
2 facility, of his or her duty to register under this Article.

3 The facility shall require the person to read and sign such
4 form as may be required by the Department of State Police
5 stating that the duty to register and the procedure for
6 registration has been explained to him or her and that he or
7 she understands the duty to register and the procedure for
8 registration. The facility shall give one copy of the form to
9 the person, retain one copy for their records, and forward the
10 original to the Department of State Police. The facility shall
11 obtain information about where the person expects to reside,
12 work, and attend school upon his or her discharge, parole, or
13 release and shall report the information to the Department of
14 State Police within 3 days. The facility or institution shall
15 also inform any person who must register that if he or she
16 establishes a residence outside of the State of Illinois, is
17 employed outside of the State of Illinois, or attends school
18 outside of the State of Illinois, he or she must register in
19 the new state within 48 hours ~~5 days~~ after establishing the
20 residence, beginning school, or beginning employment. The
21 Department of State Police shall notify the law enforcement
22 agencies having jurisdiction where the person expects to
23 reside, work, and attend school upon his or her release.

24 (Source: P.A. 94-168, eff. 1-1-06.)

25 (730 ILCS 150/6) (from Ch. 38, par. 226)

1 Sec. 6. Duty to report; change of address, school, or
2 employment; duty to inform. A person who has been adjudicated
3 to be sexually dangerous or is a sexually violent person and is
4 later released, or found to be no longer sexually dangerous or
5 no longer a sexually violent person and discharged, or
6 convicted of a violation of this Act after July 1, 2005, shall
7 report in person to the law enforcement agency with whom he or
8 she last registered no later than 90 days after the date of his
9 or her last registration and every 90 days thereafter and at
10 such other times at the request of the law enforcement agency
11 not to exceed 4 times a year. Any person who lacks a fixed
12 residence must report weekly, in person, to the appropriate law
13 enforcement agency where the sex offender is located. Any other
14 person who is required to register under this Article shall
15 report in person to the appropriate law enforcement agency with
16 whom he or she last registered within one year from the date of
17 last registration and every year thereafter and at such other
18 times at the request of the law enforcement agency not to
19 exceed 4 times a year. If any person required to register under
20 this Article lacks a fixed residence or temporary domicile, he
21 or she must notify, in person, the agency of jurisdiction of
22 his or her last known address within 48 hours ~~5 days~~ after
23 ceasing to have a fixed residence and if the offender leaves
24 the last jurisdiction of residence, he or she, must within 48
25 hours after leaving register in person with the new agency of
26 jurisdiction. If any other person required to register under

1 this Article changes his or her residence address, place of
2 employment, or school, he or she shall report in person to ~~5~~
3 the law enforcement agency with whom he or she last registered
4 of his or her new address, change in employment, or school and
5 register, in person, with the appropriate law enforcement
6 agency within the time period specified in Section 3. The law
7 enforcement agency shall, within 3 days of the reporting in
8 person by the person required to register under this Article,
9 notify the Department of State Police of the new place of
10 residence, change in employment, or school.

11 If any person required to register under this Article
12 intends to establish a residence or employment outside of the
13 State of Illinois, at least 10 days before establishing that
14 residence or employment, he or she shall report in person to
15 the law enforcement agency with which he or she last registered
16 of his or her out-of-state intended residence or employment.
17 The law enforcement agency with which such person last
18 registered shall, within 3 days after the reporting in person
19 of the person required to register under this Article of an
20 address or employment change, notify the Department of State
21 Police. The Department of State Police shall forward such
22 information to the out-of-state law enforcement agency having
23 jurisdiction in the form and manner prescribed by the
24 Department of State Police.

25 (Source: P.A. 93-977, eff. 8-20-04; 94-166, eff. 1-1-06;
26 94-168, eff. 1-1-06; revised 8-19-05.)

1 (730 ILCS 150/6-5)

2 Sec. 6-5. Out-of-State employee or student; duty to report
3 change. Every out-of-state student or out-of-state employee
4 must notify the agency having jurisdiction of any change of
5 employment or change of educational status, in writing, within
6 48 hours ~~5 days~~ of the change. The law enforcement agency
7 shall, within 3 days after receiving the notice, enter the
8 appropriate changes into LEADS.

9 (Source: P.A. 94-168, eff. 1-1-06.)

10 (730 ILCS 150/7) (from Ch. 38, par. 227)

11 Sec. 7. Duration of registration. A person who has been
12 adjudicated to be sexually dangerous and is later released or
13 found to be no longer sexually dangerous and discharged, shall
14 register for the period of his or her natural life. A sexually
15 violent person or sexual predator shall register for the period
16 of his or her natural life after conviction or adjudication if
17 not confined to a penal institution, hospital, or other
18 institution or facility, and if confined, for the period of his
19 or her natural life after parole, discharge, or release from
20 any such facility. Any other person who is required to register
21 under this Article shall be required to register for a period
22 of 10 years after conviction or adjudication if not confined to
23 a penal institution, hospital or any other institution or
24 facility, and if confined, for a period of 10 years after

1 parole, discharge or release from any such facility. A sex
2 offender who is allowed to leave a county, State, or federal
3 facility for the purposes of work release, education, or
4 overnight visitations shall be required to register within 48
5 hours ~~5 days~~ of beginning such a program. Liability for
6 registration terminates at the expiration of 10 years from the
7 date of conviction or adjudication if not confined to a penal
8 institution, hospital or any other institution or facility and
9 if confined, at the expiration of 10 years from the date of
10 parole, discharge or release from any such facility, providing
11 such person does not, during that period, again become liable
12 to register under the provisions of this Article. Reconfinement
13 due to a violation of parole or other circumstances that
14 relates to the original conviction or adjudication shall extend
15 the period of registration to 10 years after final parole,
16 discharge, or release. The Director of State Police, consistent
17 with administrative rules, shall extend for 10 years the
18 registration period of any sex offender, as defined in Section
19 2 of this Act, who fails to comply with the provisions of this
20 Article. The registration period for any sex offender who fails
21 to comply with any provision of the Act shall extend the period
22 of registration by 10 years beginning from the first date of
23 registration after the violation. If the registration period is
24 extended, the Department of State Police shall send a
25 registered letter to the law enforcement agency where the sex
26 offender resides within 3 days after the extension of the

1 registration period. The sex offender shall report to that law
2 enforcement agency and sign for that letter. One copy of that
3 letter shall be kept on file with the law enforcement agency of
4 the jurisdiction where the sex offender resides and one copy
5 shall be returned to the Department of State Police.

6 (Source: P.A. 93-979, eff. 8-20-04; 94-166, eff. 1-1-06;
7 94-168, eff. 1-1-06; revised 8-19-05.)

8 Section 20. The Sex Offender Community Notification Law is
9 amended by changing Section 120 as follows:

10 (730 ILCS 152/120)

11 Sec. 120. Community notification of sex offenders.

12 (a) The sheriff of the county, except Cook County, shall
13 disclose to the following the name, address, date of birth,
14 place of employment, school attended, and offense or
15 adjudication of all sex offenders required to register under
16 Section 3 of the Sex Offender Registration Act:

17 (1) The boards of institutions of higher education or
18 other appropriate administrative offices of each
19 non-public institution of higher education located in the
20 county where the sex offender is required to register,
21 resides, is employed, or is attending an institution of
22 higher education; ~~and~~

23 (2) School boards of public school districts and the
24 principal or other appropriate administrative officer of

1 each nonpublic school located in the county where the sex
2 offender is required to register or is employed; ~~and~~

3 (3) Child care facilities located in the county where
4 the sex offender is required to register or is employed; ~~and~~

5 (4) Public libraries located in the county where the
6 sex offender is required to register or is employed;

7 (5) Public housing agencies located in the county where
8 the sex offender is required to register or is employed;

9 (6) The Illinois Department of Children and Family
10 Services;

11 (7) Social service agencies providing services to
12 minors located in the county where the sex offender is
13 required to register or is employed;

14 (8) Volunteer organizations providing services to
15 minors located in the county where the sex offender is
16 required to register or is employed; and

17 (9) Any organization or person who requests
18 notification located in the county where the sex offender
19 is required to register or is employed.

20 (a-2) The sheriff of Cook County shall disclose to the
21 following the name, address, date of birth, place of
22 employment, school attended, and offense or adjudication of all
23 sex offenders required to register under Section 3 of the Sex
24 Offender Registration Act:

25 (1) School boards of public school districts and the
26 principal or other appropriate administrative officer of

1 each nonpublic school located within the region of Cook
2 County, as those public school districts and nonpublic
3 schools are identified in LEADS, other than the City of
4 Chicago, where the sex offender is required to register or
5 is employed; ~~and~~

6 (2) Child care facilities located within the region of
7 Cook County, as those child care facilities are identified
8 in LEADS, other than the City of Chicago, where the sex
9 offender is required to register or is employed; ~~and~~

10 (3) The boards of institutions of higher education or
11 other appropriate administrative offices of each
12 non-public institution of higher education located in the
13 county, other than the City of Chicago, where the sex
14 offender is required to register, resides, is employed, or
15 attending an institution of higher education; ~~and~~

16 (4) Public libraries located in the county, other than
17 the City of Chicago, where the sex offender is required to
18 register, resides, is employed, or attending an
19 institution of higher education;

20 (5) Public housing agencies located in the county,
21 other than the City of Chicago, where the sex offender is
22 required to register, resides, is employed, or attending an
23 institution of higher education;

24 (6) The Illinois Department of Children and Family
25 Services;

26 (7) Social service agencies providing services to

1 minors located in the county, other than the City of
2 Chicago, where the sex offender is required to register,
3 resides, is employed, or attending an institution of higher
4 education;

5 (8) Volunteer organizations providing services to
6 minors located in the county, other than the City of
7 Chicago, where the sex offender is required to register,
8 resides, is employed, or attending an institution of higher
9 education; and

10 (9) Any organization or person who requests
11 notification located in the county, other than the City of
12 Chicago, where the sex offender is required to register,
13 resides, is employed, or attending an institution of higher
14 education.

15 (a-3) The Chicago Police Department shall disclose to the
16 following the name, address, date of birth, place of
17 employment, school attended, and offense or adjudication of all
18 sex offenders required to register under Section 3 of the Sex
19 Offender Registration Act:

20 (1) School boards of public school districts and the
21 principal or other appropriate administrative officer of
22 each nonpublic school located in the police district where
23 the sex offender is required to register or is employed if
24 the offender is required to register or is employed in the
25 City of Chicago; ~~and~~

26 (2) Child care facilities located in the police

1 district where the sex offender is required to register or
2 is employed if the offender is required to register or is
3 employed in the City of Chicago; ~~and~~

4 (3) The boards of institutions of higher education or
5 other appropriate administrative offices of each
6 non-public institution of higher education located in the
7 police district where the sex offender is required to
8 register, resides, is employed, or attending an
9 institution of higher education in the City of Chicago; ~~-~~

10 (4) Public libraries located in the police district
11 where the sex offender is required to register, resides, is
12 employed, or attending an institution of higher education
13 in the City of Chicago;

14 (5) Public housing agencies located in the police
15 district where the sex offender is required to register,
16 resides, is employed, or attending an institution of higher
17 education in the City of Chicago;

18 (6) The Illinois Department of Children and Family
19 Services;

20 (7) Social service agencies providing services to
21 minors located in the police district where the sex
22 offender is required to register, resides, is employed, or
23 attending an institution of higher education in the City of
24 Chicago;

25 (8) Volunteer organizations providing services to
26 minors located in the police district where the sex

1 offender is required to register, resides, is employed, or
2 attending an institution of higher education in the City of
3 Chicago; and

4 (9) Any organization or person who requests
5 notification located in the police district where the sex
6 offender is required to register, resides, is employed, or
7 attending an institution of higher education in the City of
8 Chicago.

9 (a-4) The Department of State Police shall provide a list
10 of sex offenders required to register to the Illinois
11 Department of Children and Family Services.

12 (b) The Department of State Police and any law enforcement
13 agency may disclose, in the Department's or agency's
14 discretion, the following information to any person likely to
15 encounter a sex offender, or sexual predator:

16 (1) The offender's name, address, and date of birth.

17 (2) The offense for which the offender was convicted.

18 (3) Adjudication as a sexually dangerous person.

19 (4) The offender's photograph or other such
20 information that will help identify the sex offender.

21 (5) Offender employment information, to protect public
22 safety.

23 (c) The name, address, date of birth, offense or
24 adjudication, the county of conviction, license plate numbers
25 for every vehicle registered in the name of the sex offender,
26 the age of the sex offender at the time of the commission of

1 the offense, the age of the victim at the time of the
2 commission of the offense, and any distinguishing marks located
3 on the body of the sex offender for sex offenders required to
4 register under Section 3 of the Sex Offender Registration Act
5 shall be open to inspection by the public as provided in this
6 Section. Every municipal police department shall make
7 available at its headquarters the information on all sex
8 offenders who are required to register in the municipality
9 under the Sex Offender Registration Act. The sheriff shall also
10 make available at his or her headquarters the information on
11 all sex offenders who are required to register under that Act
12 and who live in unincorporated areas of the county. Sex
13 offender information must be made available for public
14 inspection to any person, no later than 72 hours or 3 business
15 days from the date of the request. The request must be made in
16 person, in writing, or by telephone. Availability must include
17 giving the inquirer access to a facility where the information
18 may be copied. A department or sheriff may charge a fee, but
19 the fee may not exceed the actual costs of copying the
20 information. An inquirer must be allowed to copy this
21 information in his or her own handwriting. A department or
22 sheriff must allow access to the information during normal
23 public working hours. The sheriff or a municipal police
24 department may publish the photographs of sex offenders where
25 any victim was 13 years of age or younger and who are required
26 to register in the municipality or county under the Sex

1 Offender Registration Act in a newspaper or magazine of general
2 circulation in the municipality or county or may disseminate
3 the photographs of those sex offenders on the Internet or on
4 television. The law enforcement agency may make available the
5 information on all sex offenders residing within any county.

6 (d) The Department of State Police and any law enforcement
7 agency having jurisdiction may, in the Department's or agency's
8 discretion, place the information specified in subsection (b)
9 on the Internet or in other media.

10 (e) (Blank).

11 (f) The administrator of a transitional housing facility
12 for sex offenders shall comply with the notification procedures
13 established in paragraph (4) of subsection (b) of Section
14 3-17-5 of the Unified Code of Corrections.

15 (g) A principal or teacher of a public or private
16 elementary or secondary school shall notify the parents of
17 children attending the school during school registration or
18 during parent-teacher conferences that information about sex
19 offenders is available to the public as provided in this Act.

20 (Source: P.A. 94-161, eff. 7-11-05; 94-168, eff. 1-1-06;
21 94-994, eff. 1-1-07.)